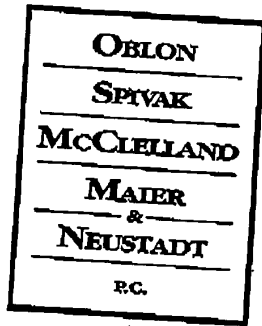


APR. 14. 2005 11:44AM

OBLON SPIVAK

NO. 861 P. 1



ATTORNEYS AT LAW
1940 DUKE STREET
ALEXANDRIA, VIRGINIA 22314
(703) 413-3000
(703) 413-2220 FACSIMILE
OBLONPAT@OBLON.COM
WWW.OBLON.COM

FACSIMILE

PLEASE CALL US AT (703) 413-3000 IF THE MESSAGE YOU RECEIVE IS INCOMPLETE OR NOT LEGIBLE

I hereby certify that this correspondence is being facsimile transmitted to:

Commissioner for Patents
Alexandria, VA 22313-1450

Attn: Examiner Puttlitz (Fax No. 571-273-0645)

on Date: 4/14/05

Signature:

Richard L. Treanor

Total number of pages including this page: 6

OSMM&N File No. 242174US0CONT

Serial No. 10/656,203

Dept.: Chemical

By: RLT/RLT/jot

In the matter of the Application of: Bernd ECK, et al.

For: PROCESS FOR THE PURIFICATION AND PREPARATION OF ACRYLIC ACID OR METHACRYLIC ACID

Due Date: N/A

- ☒ Dep. Acct. Order Form
- ☒ PTO Cover Letter
- ☒ Submission of Terminal Disclaimer
- ☒ Terminal Disclaimer (2 pages, executed)

Unless otherwise indicated or obvious from the nature of the transmittal, the information contained in this facsimile message is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error or are not sure whether it is privileged, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Postal Service at our Expense. Thank You.

DOCKET NO: 242174US0CONT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

BERND ECK, ET AL.

SERIAL NO: 10/656,203

FILED: SEPTEMBER 8, 2003

FOR: PROCESS FOR THE
PURIFICATION AND PREPARATION OF
ACRYLIC ACID OR METHACRYLIC
ACID

:

: EXAMINER: PUTTLITZ

:

: GROUP ART UNIT: 1621

:

SUBMISSION OF TERMINAL DISCLAIMER

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In accord with the telephone conference held April 12, 2005, between the Examiner and the below-signed attorney, enclosed please find a Terminal Disclaimer over parent patent U.S. 6,700,016.

With regard to the presently allowed application, Applicants note the Examiner's Statement of Reasons for Allowance, and wish to point out that claim 11 relates to a process for the purification of acrylic acid, while claim 20 relates to a process for the preparation of acrylic acid. Thus, whether the impurities removed in the claim 11 process and those removed by the purification process in the preparation claim 20 are the same or different is not an issue.

APR. 14. 2005 11:45AM OBLON SPIVAK

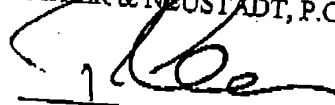
NO. 861 P. 4

Application No. 10/656,203

Applicants appreciate the allowance of this case. As indicated by Examiner Puttlitz, a Supplemental Notice of Allowance will now be issued.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Richard L. Treanor
Attorney of Record
Registration No. 36,379

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 06/04)

Docket No. 242174US0CONT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Bernd ECK, et al.

SERIAL NO: 10/656,203

FILED: September 8, 2003

GAU: 1621

EXAMINER: PUTTLITZ

FOR: PROCESS FOR THE PURIFICATION AND PREPARATION OF ACRYLIC ACID OR METHACRYLIC ACID

TERMINAL DISCLAIMER

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Petitioner, BASF AKTIENGESELLSCHAFT, is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment.

Your petitioner hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of Patent No. 6,700,016, and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,700,016, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

Your Petitioner does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of Patent No. 6,700,016 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

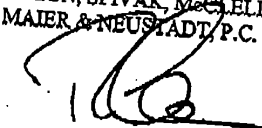
CERTIFICATION UNDER 37 C.F.R. 3.73(b)

I, the undersigned, certify that I am an individual empowered to act on behalf of petitioner, BASF AKTIENGESELLSCHAFT, the assignee of the entire right, title and interest of the above-captioned application by virtue of an assignment from the inventor(s) of said application, said Assignment having been recorded in the U.S. Patent and Trademark Office at rec1 no. 013893, frame(s) 0253.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully Submitted,

OBLON, SPIVAK, MCLELLAND,
MAIER & NEUSTADT, P.C.


Richard L. Treanor
Registration No. 36,379

4/14/05

Date Signed

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMAN 05/03)